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1642

PTO/SB/21 (08-00)
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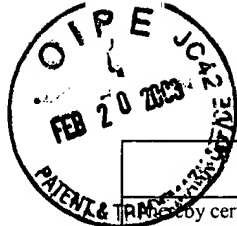
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	09/425,075	
		Filing Date	October 21, 1999	
		First Named Inventor	CHOUDARY, PRABHAKARA V.	
		Group Art Unit	1642	
		Examiner Name	HELMS, LARRY RONALD	
Total Number of Pages in This Submission		4	Attorney Docket Number	UCAL-269
ENCLOSURES (check all that apply)				
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Response to Non-Compliant Amendment 2. Copy of Notice of Non-Compliant Amendment 3. Postcard		
		Remarks		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT				
Firm or Individual Name	JAMES S. KEDDIE, PH.D., Reg. No. 48,920			
Signature				
Date	February 11, 2003			

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Typed or printed name	Susan M. Alessi		
Signature		Date	February 11, 2003

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Response #39
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Typed or Printed Name	Susan M. Alessi		
Signature	<i>Susan Alessi</i>	Date	February 11, 2003

Response to Notice of Non-Compliant Amendment Address to: Assistant Commissioner for Patents Washington, D.C. 20231	Attorney Docket Confirmation No.	UCAL-269 9044
	First Named Inventor	Choudary et al.
	Application Number	09/425,075
	Filing Date	October 21, 1999
	Group Art Unit	1642
	Examiner Name	Larry R. Helms
	Title	FUNCTIONALLY ASSEMBLED ANTIGEN-SPECIFIC INTACT RECOMBINANT ANTIBODY AND A METHOD FOR PRODUCTION THEREOF

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Sir:

This amendment is responsive to the Notice of Non-Compliant Amendment dated January 29, 2003, for which a one-month period for response was given making this response due on or before February 28, 2003. As such, a response is timely filed.

No claims were amended in the response filed November 18, 2002. As such, a marked-up version showing any amendments is not required.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number UCAL-269.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date: February 11, 2003

By: *James S. Keddie*
James S. Keddie Ph.D.
Registration No. 48,920

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/425,075	10/21/1999	PRABHAKARA V. CHOUDARY	480,971-(HV) UCA-269	9044
24353 7590 01/29/2003 BOZICEVIC, FIELD & FRANCIS LLP 200 MIDDLEFIELD RD SUITE 200 MENLO PARK, CA 94025				
EXAMINER HELMS, LARRY RONALD				
ART UNIT		PAPER NUMBER		
1642				

DATE MAILED: 01/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 11-18-02 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77 Sept. 19, 2000). In order for the amendment to be compliant, applicant must supply the following omissions or corrections in response to this notice.

THE FOLLOWING ITEMS ARE REQUIRED FOR COMPLIANCE WITH RULE 1.121 (APPLICANT NEED NOT RE-SUBMIT THE ENTIRE AMENDMENT):

- ☐ 1. A clean version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(ii).
- ☒ 2. A marked-up version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(iii).
- ☐ 3. A clean version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(i).
- ☒ 4. A marked-up version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(ii).

Explanation: _____

(LIE: Please provide specific details for correction to assist the applicant. For example, "the clean version of claim 6 is missing.")

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/dcom/olia/pbg/sampleaf.pdf>. A condensed version of a sample amendment format is attached.

- ☐ **PRELIMINARY AMENDMENT:** Unless applicant **supplies the omission or correction** to the preliminary amendment in compliance with revised 37 CFR 1.121 noted above within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- ☐ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE MONTH or THIRTY DAYS from the mailing of this notice, whichever is longer, within which to **supply the omission or correction noted above** in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Kenn D. Dunning
Legal Instruments Examiner (LIE)